

Our Reference: AKI-100-B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Niko Drakoulis et al.
Serial Number: 09/903,166
Filing Date: July 11, 2001
Examiner/Art Group Unit: Faulk, Devona E./2644
Title: WIRELESS 900 MHZ BROADCAST LINK

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT

The owner, Kima Wireless Technologies, Inc., by change of name from Akoo, Inc., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,256,303. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 2-7-05

Signature

William M. Hanlon, Jr.

Typed or Printed Name

Attorney for Applicant

Title if Applicable

Application Serial No. 09/903,166
Date February 7, 2005
Reply to Office Action dated October 6, 2004

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included by Deposit Account Charge Authorization.
- ☒ PTO suggested wording for terminal disclaimer was ☐ unchanged, ☒ changed (if changed, an explanation should be supplied).